

ZONING REGULATIONS

**PIERCE COUNTY
NORTH DAKOTA**

AUGUST 1994

PIERCE COUNTY PLANNING & ZONING

SUMMARY OF CHANGES

ADDITIONS:

- * Article 2, Section 9 Utilities added 12/16/03 pg.7
- * Article 2, Section 10 Windpower Generation Facilities & Towers added 12/16/03 pg.7

CHANGES:

Article 3, Section 4 Permitted Uses – letter V. amended 12/16/03 pg. 10

Article 3, Section 4 Conditional Uses – letter T. amended 2/5/02 pg. 11

Article 3, Section 4 Conditional Uses – letter U. amended 12/16/03 pg. 11

Article 3, Section 4 Conditional Uses – letter V. amended 12/16/03 pg. 12

Article 3, Section 5 Conditional Uses – letter J. amended 12/16/03 pg. 14

Article 3, Section 6 Conditional Uses – letter F. amended 12/16/03 pg. 16

Article 3, Section 7 Conditional Uses – letter H. amended 12/16/03 pg. 18

Article 3, Section 10 Conditional Uses – letter R. amended 12/16/03 pg. 24

environmental inspector on site. Provisions shall be made for the cost to be paid by the operator to the State Health Department or County as may be negotiated with the State Health Department.

- L. Facilities other than ones that manage municipal solid waste would be required to have nonsudden and sudden liability insurance and closure and postclosure insurance payable to the State Health Department.

SECTION 9. UTILITIES: (as added, 12/16/03)

1. All new utilities shall be considered as a conditional use and, as such, shall conform to all requirements put on them by the Planning Commission and/or County Commission.
2. No conditional use permit shall be issued unless satisfactory provisions for the following have been made:
 - A. Underground utilities shall be placed a minimum depth of four (4) feet, so as not to constitute a hazard to normal farming or general county/ township maintenance.
 - B. Above ground utilities shall be placed in a manner which will conform with state law.
 - C. Utility placement shall conform with section lines, highway (state and federal), and railroad right of ways.
 - D. The activities will not result in undue damage or injury to roads, bridges, right of ways in the County, or to any public or private property.
 - E. Excavation costs for purposes of construction or maintenance of a utility shall be borne by the contractor or owner of said utility.

SECTION 10. WIND POWER GENERATION FACILITIES AND TOWERS (as added 12/16/03)

1. Towers and all related equipment shall be in compliance with all applicable Local, State and Federal regulatory standards.
2. The tower shall be setback as follows: From
 - A. Occupied residence – 750 feet
 - B. Property line – 200 feet
 - C. Road Right of Way – 300 feet

Setbacks shall be increased to the tower fall zone if it is greater than any of the above.

3. Noise shall be limited to a maximum level of 50dB(A) at the nearest property line.
4. Tower shall be of a monopole type (self-supporting, tubular) and shall be no more than 300 feet in height. Except for towers supporting generation units with a rated capacity of less than 40 Kilowatts.
5. Rotor blades shall not exceed 500 feet from the ground.
6. Facility shall have a rating of 5,000 Kilowatts or less.
7. No lighting shall be permitted other than that required by Federal requirements.
8. All connecting power lines shall be buried underground. Tower and facilities shall be designed to minimize their visual impact.

ARTICLE 3 – DISTRICTS AND BOUNDARIES

SECTION 1. ESTABLISHMENT OF DISTRICTS: In order to effectively carry out the provisions of these regulations, the land covered by the jurisdiction of these regulations shall be divided into the following zoning districts:

- “A-1” – Agricultural District
- “A-2” – Rural Recreation District
- “R-1” – Rural Residential District
- “R-2” – City Residential District
- “C-1” – Highway Commercial District
- “C-2” – General Commercial District
- “I-1” – Industrial District

SECTION 2. ZONING MAP: The location and boundaries of the zoning districts are hereby established as shown on the maps attached and made a part of this ordinance. The maps shall be kept on file with the county auditor and shall be regularly updated to show any change in the zoning boundary lines resulting from amendments.

SECTION 3. INTERPRETATION OF BOUNDARIES: The following rules shall apply to the boundaries of the zoning districts on the zoning district map.

1. Where zoning district boundaries follow streets, highways, roads, railroad lines, or extensions thereof, such boundary lines shall be the centerlines of those streets, highways, road, railroad lines, or extensions thereof.